



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.04.2022**

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)Nos.1688 to 1691 of 2017

C.R.P (MD)No.1688 of 2017

Ambika ... Petitioner/Respondent
Vs.

Yesothaiammal (Died)
Sasireka ... Respondent/Petitioner

PRAYER : Civil Revision Petition is filed under Section 115 of Civil Procedure Code r/w 6-B of Cultivating Tenants Act, 1955, as against the order passed in Petition No.1845 of 2013 on the file of the Special Deputy Collector, Revenue Court, Lalgudi, Trichirappalli District, dated 15.06.2017 which was despatched on 03.08.2017.

C.R.P(MD)No.1689 of 2017

Ambika ... Petitioner/Respondent
Vs.

Yesothaiammal (Died)
Sasireka ... Respondent/Petitioner

PRAYER : Civil Revision Petition is filed under Section 115 of Civil Procedure Code r/w 6-B of Cultivating Tenants Act, 1955, as against the order passed in Petition No.51 of 2015 on the file of the Special Deputy Collector, Revenue Court, Lalgudi, Trichirappalli District, dated 15.06.2017 which was despatched on 03.08.2017.

C.R.P(MD)No.1690 of 2017

Ambika ... Petitioner/Respondent/
Respondent
Vs.

Yesothaiammal (Died)
Sasireka ... Respondent/Petitioner/
Petitioner

PRAYER : Civil Revision Petition is filed under Section 115 of Civil Procedure Code r/w 6-B of Cultivating Tenants Act, 1955, as against the petition order passed in M.P.No.88 of 2017 in Petition No.1845



of 2013 on the file of the Special Deputy Collector, Revenue Court, Lalgudi, Trichirappalli District, dated 17.08.2017.

C.R.P(MD)No.1691 of 2017

Ambika

... Petitioner/
Respondent/Respondent

WEB COPY

Vs.

Yesothaiammal (Died)
Sasireka

... Respondent/Petitioner/
Petitioner

PRAYER : Civil Revision Petition is filed under Section 115 of Civil Procedure Code r/w 6-B of Cultivating Tenants Act, 1955, as against the petition order passed in M.P.No.89 of 2017 in Petition No.51 of 2015 on the file of the Special Deputy Collector, Revenue Court, Lalgudi, Trichirappalli District, dated 17.08.2017.

(In all the Revision Petitions)

For Petitioner : Mr.C.Vakeeswaran

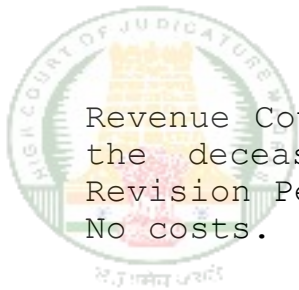
For Respondent : Mr.G.S.Ashok Adhithyan

COMMON ORDER

The present Revision Petitions have been filed by a cultivating tenant, challenging the order passed by the Revenue Court, Lalgudi. The landlord has chosen to file applications before the Revenue Court, Lalgudi for evicting the tenant on the ground of arrears of rent. When these applications were pending, the landlord had passed away and interim applications were filed by one Sasireka on the basis of the Will, said to have been executed by the landlord namely Yesothaiammal. While allowing the interim applications, the Revenue Court, Lalgudi has also passed an order directing the tenant to deposit 1/4th of the arrears amount which is the ground on which the main petition for eviction has been filed. The present Revision Petitions have been filed challenging the said, allowing of the applications.

2. Heard both sides.

3. I do not find any error in the order passed by the Revenue Court, Lalgudi in the interlocutory applications in so far the legal heir of the deceased landlord was sought to be impleaded. However, in the said application, the Revenue Court, Lalgudi has exceeded its jurisdiction and directed the tenant to deposit 1/4th of the arrears amount. In so far as the direction as against the tenant for deposit of the arrears of rent in the legal heirs petition is concerned, such direction is set aside. However, the order passed by the



Revenue Court, Lalgudi with regard to impleading the legal heirs of the deceased landlord is concerned, it is confirmed. All the Revision Petitions are partly allowed to the extent as stated above. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

btr

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Special Deputy Collector,
Revenue Court,
Lalgudi,
Trichirappalli District.

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES)

+1 CC to M/s.GS. ASOK ADHITHYAN, Advocate (SR-17737[F] dated 11/04/2022)

+1 CC to M/s.C. VAKEESWARAN, Advocate (SR-17625[F] dated 08/04/2022)

C.R.P(MD)Nos.1688 to 1691 of 2017

08.04.2022

RD(19.05.2022) 3P 6C